



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

**GUNNISON MCKAY & HODGSON, LLP**  
**GARDEN WEST OFFICE PLAZA, SUITE 220**  
**1900 GARDEN ROAD**  
**MONTEREY CA 93940**

**COPY MAILED**

**MAR 31 2008**

In re Application of  
Heinz F. THUMMEL  
Application No. 10/802,115  
Filed: March 13, 2004  
Attorney Docket No. **LDI006**

**OFFICE OF PETITIONS**

**DECISION ON PETITION**

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 19, 2007, to revive the above-identified application.


The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, April 03, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on July 04, 2006.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$770, and (3) a proper statement of unintentional delay. Accordingly, the response to the non-final office action of April 03, 2006 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Tredelle Jackson at (571) 272-2783.

This application is being referred to Technology Center AU 3641 for appropriate action on the concurrently filed amendment.

  
David Bucci  
Petitions Examiner  
Office of Petitions